

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REX S. GUNTHER,

Plaintiff,

v.

ELIZABETH YATES, RN,

Defendant.

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No. 4:25-cv-00302-RHH

MEMORANDUM AND ORDER

This matter is before the Court on self-represented Plaintiff Rex S. Gunther's letter to the Court dated January 28, 2025, which the Court construes as a motion requesting an emergency Court order. (ECF No. 2). For the following reasons, Plaintiff's motion will be denied as moot.

Plaintiff seeks a Court order that he be allowed to request a \$405 check from the Administrative Committee at the Southeast Missouri Department of Mental Health made out to the Clerk, U.S. District Court, to pay his filing fee for this case. On April 21, 2025, however, the Court received a check from Plaintiff for \$405 to pay the filing fee. Because Plaintiff's filing fee has been paid, the Court will deny his motion requesting an emergency Court order.

Additionally, on review of the file, the Court notes that Plaintiff's complaint is defective because it has not been drafted on a Court form. *See* E.D. Mo. L.R. 2.06(A) ("All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms"). The Court will order Plaintiff to file an amended complaint on a Court-provided form within fourteen days of the date of this Order.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's letter to the Court dated January 28, 2025, which the Court construes as a motion requesting an emergency Court order (ECF No. 2) is **DENIED as moot**.

IT IS FURTHER ORDERED that the Clerk is directed to mail Plaintiff a copy of the Court's prisoner civil rights complaint form.

IT IS FURTHER ORDERED that Plaintiff must file an amended complaint on the Court-provided form within fourteen (14) days of the date of this Order.

IT IS FURTHER ORDERED if Plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice to Plaintiff.

Dated this 9th day of June, 2025.



RODNEY H. HOLMES
UNITED STATES MAGISTRATE JUDGE